



NUMBER

Department of Defense Directive

SUBJECT: DoD Polygraph Program

References: (a) DoD Directive 5210.48, "Polygraph Examinations and Examiners," October 6, 1975 (hereby canceled)
 (b) DoD 5025-M, "DoD Directives System Procedures," April 1981, authorized by DoD Directive 5025.1, "Department of Defense Directives System," October 16, 1980
 (c) DoD Directive 5400.11, "Department of Defense Privacy Program," June 1982
 (d) Title 10, United States Code, Sections 801-940, Uniform Code of Military Justice, Article 31.b.
 (e) Executive Order 12356, "National Security Information," April 2, 1982
 (f) DoD Regulation 5200.1-R, "Information Security Program Regulation," August 1982, authorized by DoD Directive 5200.1, "DoD Information Security Program," June 7, 1982
 (g) Public Law 88-290, 78 Stat. 168 (codified at 50 U.S.C. §§ 831-835 (1976))

A. REISSUANCE AND PURPOSE

1. This Directive reissues and updates reference (a); establishes policy governing the use of the polygraph within the Department of Defense, including the selection, training, and supervision of polygraph examiners; the procurement and testing of equipment; and the reporting of data related to polygraph activities.
2. This Directive authorizes the issuance of DoD 5210.48-R, "DoD Polygraph Program," consistent with reference (b).

B. APPLICABILITY AND SCOPE

1. This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to as "DoD Components").
2. The provisions of this Directive apply to DoD polygraph examinations that involve DoD contractor personnel and other persons who are affiliated with the Department of Defense.

C. POLICY

1. Polygraph examinations shall be administered in the Department of Defense only as authorized, and in the manner prescribed, by this Directive and DoD 5210.48-R. DoD Components shall insure that, in implementing this Directive and DoD 5210.48-R, adequate safeguards are provided for the protection of the rights and privacy of individuals considered for or subjected to polygraph examination.
2. The polygraph shall be employed only when the person to be examined has consented to the examination. This consent must be in writing unless the examination is being administered for purposes described in paragraph C.11.i., below.
3. The individual being considered for polygraph examination shall be given timely notification of the date, time, and place of the examination as well as his/her right to obtain and consult with legal counsel. Legal counsel may be available for consultation during the polygraph examination.
4. Individuals to be examined in examinations other than those conducted under the provisions of paragraph C.11.e. and i. below, shall, prior to administering of the polygraph examination, be advised of their privilege against self-incrimination. The examinee may, upon his or her own volition, or upon advice of legal counsel, terminate the polygraph examination at any time.
5. No relevant question may be asked during the polygraph examination that has not been reviewed with the examinee prior to the examination. Moreover,

all questions asked concerning the matter at issue, other than technical questions necessary to the polygraph technique, must have a special relevance to the subject of the inquiry. The probing of a person's thoughts or beliefs and questions about conduct which have no security implication or are not directly relevant to an investigation are prohibited. Examples of subject areas which shall not be probed include:

- a. Religious beliefs and affiliations;
- b. Beliefs and opinions regarding racial matters;
- c. Political beliefs and affiliations of a non-subversive nature;
- d. Opinions regarding the constitutionality of legislative policies.

6. Where use of the polygraph is authorized pursuant to subparagraphs 11.b., c, g, or h., below, technical questions utilized in such examinations shall be constructed to avoid embarrassing, degrading or unnecessarily intrusive questions. Additionally, except for polygraph examinations conducted under the provisions of subparagraph C.12.a of this Directive all technical questions to be used during such examinations must be reviewed with the examinee before being posed to him or her for response.

7. Polygraph examinations shall be considered as supplementary to, not as a substitute for, other forms of investigation that may be required under the circumstances. Moreover, the result of an analysis of polygraph charts shall be considered in the context of other investigative effort, and not as conclusive in themselves of the matter under investigation.

8. When a deceptive response is relied upon as the basis for nonselection for assignment or employment; denial or revocation of clearance or reassignment to a nonsensitive position; the examinee has the right to request a second examination by the examining agency, utilizing the same or a different examiner.

9. When a polygraph has been established as a requirement for selection or assignment to a position within the Department of Defense, as a condition of access to classified information, or for use in investigation of unauthorized disclosures, subsections C.11.b., c., g., or h. and C.12. below, refusal to take such an examination may result in adverse consequences after due consideration of such factors as the individual's reasons for refusal; his or her record of service and performance; any additional factors derived from a background investigation of the individual; the sensitivity of the particular information to which he or she has or would gain access; and other relevant factors, result in nonselection for assignment or employment; denial or revocation of clearance or reassignment to a nonsensitive position.

10. A refusal to consent to a polygraph examination shall be recorded only in the investigative file concerning the person maintained by his or her parent or sponsoring organization. Such refusal shall be afforded the full privacy protection provided for in DoD Directive 5400.11 (reference (c)). A person's supervisor, and in the case of a contractor employee, the person's employer, shall not be informed of the refusal to take a polygraph, nor shall the personnel files be annotated, unless such refusal requires administrative action.

11. Polygraph examinations may be authorized only for the following purposes:

a. To supplement the investigation of a crime involving an offense punishable under federal law including the Uniform Code of Military Justice (reference (d)) by death or confinement for a term of 1 year or more.

b. To assist in determining the initial eligibility and aperiodically thereafter to assist in determining the continued eligibility of DoD civilian, military and contractor personnel for access to special access programs established under Executive Order 12356 (reference (e)) and DoD 5200.1-R (reference (f)) and designated by the Deputy Under Secretary of Defense (Policy), DUSD(P); or employment or assignment to cryptographic duties designated by the Director, National Security Agency/Chief, Central Security Service, provided that the scope of such examinations shall be limited to the counterintelligence areas prescribed in Appendix B of 5210.48-R.

c. To supplement the investigation of an alleged unauthorized disclosure of classified information;

d. To supplement the investigation of alleged acts of espionage, sabotage, treason, subversion, sedition or terrorism.

e. To assist in determining the initial eligibility of foreign nationals for access to classified information when pertinent background information concerning such individuals cannot be obtained through ordinary investigative channels, and aperiodically thereafter to ensure access to classified information is clearly consistent with the interests of national security.

f. To resolve serious credible derogatory information, with the consent of the examinee, developed in connection with a personnel security investigation of DoD civilian, military or contractor personnel, that cannot be resolved in any other manner.

g. To assist, in a limited number of cases where operational exigencies require the immediate utilization of a person's services before the completion of a background investigation in determining the interim eligibility of DoD civilian, military and contractor personnel for access to Sensitive Compartmented Information (SCI). In this instance the scope of the polygraph examination shall be limited to the counterintelligence areas prescribed in Appendix B of DoD 5210.48-R.

h. To assist, on an aperiodic basis, in determining the continuing eligibility of DoD civilian, military and contractor personnel for access to SCI. Persons within agencies, components or programs, shall be selected for such examinations on a strictly random basis. In this instance, the scope of the polygraph examination shall be limited to the counterintelligence areas prescribed in Appendix B of DoD 5210.48-R.

i. To determine the suitability, reliability, or credibility of personnel who are used as, proposed for use as, or who purport to be, agents, sources, or operatives in foreign intelligence or counterintelligence activities.

j. When requested by the subject of a criminal, counterintelligence, or personnel security investigation, as a means of exculpation, with respect to allegations or evidence arising in the course of such investigation.

k. To provide polygraph service or support to entities other than DoD Components, provided the use of the polygraph in such instances is consistent with this Directive and DoD 5210.48-R, and has been approved by the DUSD(P), or designee, the Director, Security Plans and Programs, Office of the DUSD(P).

12. Polygraph examinations shall be required for:

a. DoD civilian, military, contractor and General Service Administration personnel to assist in determining their eligibility for initial or continued employment, assignment, or detail for duty with the National Security Agency in activities that require access to sensitive cryptologic information, or to spaces where sensitive cryptologic information is produced, processed, or stored. In the case of military personnel being assigned or detailed for duty with NSA, the scope of such examinations shall be limited to the counterintelligence areas prescribed in Appendix B of DoD 5210.48-R.

b. DoD civilian and military personnel to assist in determining their eligibility for assignment or detail to the Central Intelligence Agency (CIA) in positions where a polygraph examination is required by CIA.

c. DoD civilian, military and contractor personnel to assist in determining their eligibility for employment with or assignment to the Defense Intelligence Agency (DIA) in positions that have been designated by the Director, DIA, as critical intelligence positions, provided that the scope of such examinations shall be limited to the counterintelligence areas prescribed in Appendix B of DoD 5210.48-R.

D. RESPONSIBILITIES

1. The Under Secretary of Defense for Policy (USD(P)) shall have overall responsibility for the DoD Polygraph Program.
2. The Deputy Under Secretary of Defense for Policy, USD(P)'s designee, shall manage the DoD Polygraph Program, and shall:
 - a. Establish policies and procedures for the DoD Polygraph Program.
 - b. Coordinate with the Inspector General, Department of Defense, all matters concerning use of the polygraph in connection with the investigation of criminal offenses.
 - c. Issue and maintain DoD 5210.48-R consistent with the provisions of DoD 5025.1-M (reference (b)).
 - d. Conduct an active oversight program to ensure compliance with the requirements of the DoD Polygraph Program.
 - e. Authorize use of the polygraph within the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, Defense Agencies other than those identified in subsection D.3., below, and when use of the polygraph is contemplated for more than one DoD Component.
3. The Secretaries of the Military Departments, the Director, National Security Agency/Chief, Central Security Service (NSA/CSS); the Directors,

Defense Intelligence Agency (DIA), Defense Investigative Service (DIS) and the Inspector General, Department of Defense (IG/DoD) shall:

a. Authorize use of polygraph examinations within their respective areas of responsibility. In this regard, the authority of the Director, DIS and IG/DoD is as follows:

(1) The Director, DIS may authorize use of the polygraph only with respect to the following categories of personnel:

(a) Personnel of DIS.

(b) Foreign nationals and immigrant aliens (in the continental United States) when polygraph examination is necessary to complete the overseas portion of a personnel security investigation.

(c) DoD civilian, military and contractor personnel of DoD Components to resolve credible derogatory information developed during the course of a personnel security investigation undertaken to determine the eligibility of such personnel for access to classified information other than Sensitive Compartmented Information.

(d) DoD contractor personnel assigned to cryptographic duties, provided that such examinations shall be limited to the counterintelligence areas prescribed in Appendix B of DoD 5210.48-R. Such examinations shall be in support of, and as requested by, the Director, National Security Agency/Chief, Central Security Service.

(2) The IG/DoD may authorize use of the polygraph only with respect to the following categories of personnel:

(a) Personnel of IG/DoD.

(b) Other DoD civilian, military and contractor personnel when such personnel are involved in a criminal or other case covered by this Directive and DoD 5210.48-R, being investigated by IG/DoD.

b. Delegate authority to authorize polygraph examinations to no lower level than the heads of security and investigative agencies, or their specific designees. The number of persons delegated authority under this paragraph shall be held to the minimum required to meet operational needs.

c. Submit to the DUSD(P) semiannual reports as of December 31 and June 30, before the 30th day of January and July respectively, on polygraph activities in the format provided in Appendix A of DoD 5210.48-R.

4. The Commanders of the U.S. Army Criminal Investigation Command and the U.S. Army Intelligence and Security Command; the Heads of the U.S. Naval Investigative Service, the U.S. Marine Corps Law Enforcement Section, and the U.S. Air Force Office of Special Investigations; the U.S. Air Force Assistant Chief of Staff, Intelligence; the Director, National Security Agency/Chief, Central Security Service, and the Directors, Defense Intelligence Agency, and Defense Investigative Service; and the Chief, Office of Investigations, IG/DoD, are the only DoD officials whose activities are authorized to conduct polygraph examinations, acquire or possess polygraph equipment, or to have polygraph examiners.

5. Heads of DoD Components that do not have a polygraph capability, or their designees, may request polygraph support from activities identified in subsection D.4. Such requests shall substantiate that the requested polygraph examination is consistent with the provisions of this Directive and DoD 5210.48-R.

6. The Secretary of the Army, or designee, shall establish and manage training programs for DoD polygraph examiners, except that the Director, NSA/Chief, Central Security Service, may approve alternative courses for training of NSA/CSS polygraph examiners. Any other training programs must be approved by the DUSD(P).

E. APPEALS

Adverse actions taken as a consequence of procedures authorized by this Directive and DoD 5210.48-R are appealable in accordance with applicable personnel or security appeals procedures.

F. WAIVERS AND EXCEPTIONS

1. The DUSD(P), or designee, the Director, Security Plans and Programs, Office of the DUSD(P), are the only officials authorized to approve waivers or exceptions to the provisions of this Directive or DoD 5210.48-R.

2. Notwithstanding subsection E., above, or any other provision of this Directive, nothing in this Directive shall be deemed to limit or affect the responsibility and powers of the Secretary of Defense to find that a person

shall not be given or permitted continued access to sensitive classified information, or assigned to or continued assignment in sensitive national security duties, if the national security so requires. This authority may not be delegated and may be exercised only when it is determined that the procedures prescribed in subsection E, above, are not appropriate. Such determinations shall be conclusive. Procedures effecting personnel of the National Security Agency must be consistent with Public Law 88-290 (reference (g)).

H. INFORMATION REQUIREMENTS

The reporting requirement in paragraph D.3.c. has been assigned Report Control Symbol DD-POL(SA)1361. For the purposes of this requirement, a polygraph examination is considered to have occurred when at least one of the testing phases defined in DoD 5210.48-R has been initiated.

I. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Under Secretary of Defense for Policy within 120 days.

5210.48-R

POLYGRAPH
PROGRAM
REGULATION



DEPARTMENT OF DEFENSE

FOREWORD

This Regulation is issued under the authority of DoD Directive 5210.48, "DoD Polygraph Program," 1982. It provides guidance and establishes controls governing the use of the polygraph to ensure an equitable balance between the need of the government to secure and verify investigative information and the recognition and preservation of the rights of the individual.

The provisions of this Regulation apply only to the Office of the Secretary of Defense (OSD), the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to as "DoD Components").

The provisions of this Regulation also apply when DoD polygraph examinations involve contractor personnel and any other person affiliated with the Department of Defense.

This Regulation is effective immediately and is mandatory for use by all DoD Components.

Send recommended changes to this Regulation through channels to:

Director
Security Plans and Programs
Room 3C277, The Pentagon
Washington, D.C. 20301

DoD Components may obtain copies of this Regulation through their own publication channels. Other federal agencies and the public may obtain copies from the Director, U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, Pa. 19120.

DoD POLYGRAPH PROGRAM
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REFERENCES

- (a) Title 10, United States Code, Sections 801-940, Uniform Code of Military Justice, Article 31.b.
- (b) Executive Order 12356, "National Security Information," April 2, 1982
- (c) DoD 5200.1-R, "Information Security Program Regulation," August, 1982 authorized by DoD Directive 5200.1, "DoD Information Security Program," June 7, 1982
- (d) DoD 5200.2-R, "DoD Personnel Security Program," December 1979, authorized by DoD Directive 5200.2, "DoD Personnel Security Program," December 20 1979
- (e) Manual for Courts-Martial, 1969 (revised edition), Chapter XXVII, Military Rules of Evidence, Section III
- (f) DoD 5400.7-R, "DoD Freedom of Information Act Program," December 1980, authorized by DoD Directive 5400.7, "DoD Freedom of Information Act Program," March 24, 1980
- (g) DoD Directive 5400.11, "Personal Privacy and Rights of Individuals Regarding Their Personal Records," June 9, 1982

CHAPTER 1

GENERAL

A. PURPOSE

This Regulation specifies the circumstances under which the polygraph may or shall be used, prescribes the procedures to be followed in conducting polygraph examinations, and establishes standards for the selection, training, and supervision of DoD polygraph examiners.

B. DEFINITIONS

1. Counterintelligence. Information gathered and activities conducted to protect against espionage and other clandestine intelligence activities, sabotage, international terrorist activities or assassinations conducted for or on behalf of foreign powers, organizations, or persons.

2. Cryptographic Information. All information significantly descriptive of cryptographic techniques and processes or of cryptographic systems and equipment, or their functions and capabilities, and all cryptomaterial. ("Significantly descriptive" means that the information could, if made known to unauthorized persons, permit recovery of specific cryptographic features of

classified crypto-equipment, reveal weaknesses of associated equipment that would allow recovery of plain text or of key, aid materially in the cryptanalysis of a general or specific cryptosystem, or lead to the cryptanalysis of an individual message, command or authentication.)

3. Cryptologic Information. Information pertaining to the production of signals intelligence and maintenance of communications security.

4. Foreign Intelligence. Information relating to the capabilities, intentions, and activities of foreign powers, organizations, or persons.

5. Foreign Nationals. All persons not citizens of, not nationals of, nor immigrant aliens to, the U.S.

6. Polygraph Examination. Includes questioning and other processing of the examinee before the actual use of the polygraph instrument; the use of a polygraph instrument with respect to such examinee; and any questioning or other processing involving the examinee after the use of the polygraph. Specifically, examinations consist of three phases:

a. Pretest. The pretest phase includes:

(1) The examiner being introduced and obtaining assurance that the person to be examined has consented to take the examination;

- (2) The examinee being informed of the nature and characteristics of the polygraph instrument and examination;
- (3) The examinee being informed of his or her privilege against self-incrimination in accordance with the Fifth Amendment to the Constitution, or if the person to be examined is a member of the U.S. Armed Forces, in accordance with Article 31.b. of the Uniform Code of Military Justice (reference (a));
- (4) The examinee being informed of his or her right to obtain and consult with legal counsel; and
- (5) The examiner reviewing with the examinee all questions to be asked during the test.

b. In-test. The actual administering of the examination and analysis of the charts.

c. Post-test. Interrogation of the examinee if the charts are analyzed as deceptive or inconclusive.

7. Polygraph Examination Results. Refers to a synopsis of the polygraph examination and normally includes a brief identification and background information, the relevant questions asked; the subject's answers, the examiner's opinions concerning the indication of truthfulness or deception, and any admissions made by the examinee during the examination.

8. Polygraph Examination Technical Report. The complete detailed technical report prepared by the polygraph examiner including pretest preparations, the examiner's notes, examination charts, and other technical details of the polygraph examination.

9. Polygraph Instrument. A diagnostic instrument capable of measuring and recording, as a minimum, respiration, electrodermal, blood volume, and heart rate responses to verbal and or visual stimuli.

10. Relevant Question. A polygraph question pertaining directly to the matter under investigation for which the examinee is being tested.

11. Technical Questions. Refers to any of the following:

a. Irrelevant/Neutral Question. A polygraph question about which the examinee normally would tell the truth. It does not pertain to the matter under investigation and should have no apparent emotional impact to the examinee.

b. Symptomatic Question. A polygraph question designed to indicate the possible influence of an outside issue which could be of concern to the examinee.

c. Control Question. A question used during polygraph examinations which, although not relevant to the matter under investigation, is designed to be used to a baseline against which responses relevant to the investigation may be evaluated.

CHAPTER 2

AUTHORIZED USES OF POLYGRAPH EXAMINATIONS

A. POLICY

1. The polygraph shall be employed within the Department of Defense only when the person to be examined has consented to the examination. Except as provided in this Regulation, this consent must be in writing.
2. The individual being considered for polygraph examination shall be given timely notification of the date, time, and place of the examination as well as their right to obtain and consult with legal counsel. Legal counsel may be available for consultation during the polygraph examination.
3. Polygraph examinations shall be considered as supplementary to, not as a substitute for, other forms of investigation that may be required under the circumstances. Moreover, the results of an analysis of polygraph charts shall be considered only in the context of other investigative effort, and not as conclusive in themselves of the matter under investigation.
4. When a polygraph examination has been established as a requirement for selection or assignment to a position within the Department of Defense, as a condition of access to classified information, or for use in investigation of unauthorized disclosures, subsections B.2.a. and c., B.3.a., and C., below, refusal to take such an examination may result in adverse consequences after due consideration of such factors as the individual's reasons for refusal;

his or her record of service and performance; any additional factors derived from a background investigation of the individual; the sensitivity of the particular information to which he or she has or would gain access; and other relevant factors, result in nonselection for assignment or employment; denial or revocation of clearance or reassignment to a nonsensitive position.

5. Polygraph examinations administered by DoD polygraph examiners shall be conducted only as prescribed by this Regulation and shall be authorized for use only in connection with the investigative cases specified in this Chapter.

B. INVESTIGATIVE CASES FOR WHICH THE POLYGRAPH MAY BE USED

1. Criminal Investigations. A polygraph examination may be authorized in a criminal investigation when:

a. The crime involves an offense punishable under federal law including the Uniform Code of Military Justice (reference (a)) by death or confinement for a term of 1 year or more;

b. Investigation by other means has been as thorough as circumstances permit;

c. The development of information by means of a polygraph examination is essential to the conduct of the investigation; and

d. The individual being considered for examination has been interviewed and there is reasonable cause to believe that the individual has knowledge of or was involved in the matter under investigation.

2. Personnel Security Investigations. A polygraph examination may be authorized in connection with personnel security investigations as follows:

a. Access to Extremely Sensitive Classified Information. A polygraph examination may be authorized to assist in determining the initial eligibility and aperiodically thereafter to assist in determining the continued eligibility of DoD civilian, military, and contractor personnel for access to special access programs established pursuant to E.O. 12356 (reference (b)) and DoD 5200.1-R (reference (c)), or employment or assignment to cryptographic duties, provided that:

(1) The Deputy Under Secretary of Defense for Policy (DUSD(P)) has for special access programs or the Director, National Security Agency/Chief, Central Security Service (hereafter, NSA/CSS) has for cryptographic duties, authorized use of the polygraph based on a determination that the program or duties require need-to-know or access controls that are more stringent than those normally required; and

(2) The scope of such examinations shall be limited to the counter-intelligence areas prescribed in Appendix B of this Regulation.

b. Resolution of Certain Personnel Security Investigations

(1) The use of the polygraph may be authorized in conjunction with the personnel security investigation of foreign nationals who require access to classified information when pertinent background information concerning such individuals cannot be verified through routine investigative methods.

(2) The polygraph, may be authorized for use on an aperiodic basis for foreign nationals to ensure that continued access to classified information is clearly consistent with the interests of national security.

(3) The use of the polygraph may be authorized for DoD civilian, military, contractor, and other personnel to resolve credible derogatory information developed in connection with a personnel security investigation when such information causes substantial doubt whether access or continuation of access to classified information is clearly consistent with the interests of national security, and the adverse information cannot be resolved in any other manner.

c. Access to Sensitive Compartmented Information (SCI)

(1) Exceptional Cases. The polygraph may be authorized for use in a limited number of cases where operational exigencies require the immediate utilization of a person's services before the completion of a background investigation, in determining the interim eligibility of DoD civilian, military and contractor personnel for access to Sensitive Compartmented Information (SCI) provided that, as a minimum:

(a) A determination has been made that it is necessary and advisable in the national interest to authorize access;

(b) The individual being considered for access has been interviewed in accordance with paragraph 2-306.c. of DoD 5200.2-R (reference (d));

(c) A Special Background Investigation (SBI) has been initiated; and

(d) The questions asked during the examination are limited to the counterintelligence areas set forth in Appendix B of this Regulation.

(2) Reinvestigation. The polygraph, limited to the counterintelligence areas set forth in Appendix B of this Regulation, may be authorized for use on an aperiodic basis for DoD civilian, military, contractor, and other personnel who have access to SCI, to assist in determining their eligibility for continued access to such information. Persons shall be selected for such examinations on a strictly random basis.

(3) Authority. Authority to approve the use of the polygraph under subparagraphs (1) and (2), above is limited to the DUSD(P) and the Senior Officials of the Intelligence Community (SOICs) within the Department of Defense.

3. Counterintelligence Investigations

a. Unauthorized Disclosures. DoD civilian, military and contractor personnel may be required to submit to a polygraph examination in connection with the investigation of an unauthorized disclosure of classified information provided that there is reasonable cause to believe that the individual has knowledge of or was involved in the unauthorized disclosure. The adverse consequences detailed in paragraph A. 4. of this Chapter may be applied in the case of individuals who refuse to cooperate with polygraph examinations administered under this provision.

b. Other Counterintelligence Investigations. A polygraph examination may be authorized for use in a counterintelligence investigation involving alleged acts of espionage, sabotage, treason, terrorism, subversion, or sedition, provided that:

1. Investigation by other means has been as thorough as circumstances permit;

2. The development of information by means of a polygraph examination is essential to the conduct of the investigation; and

3. The individual being considered for examination has been interviewed and there is reasonable cause to believe that the individual has knowledge of or was involved in the matter under investigation.

4. Foreign intelligence and Counterintelligence Operations. Polygraph examination may be authorized to determine the suitability, reliability, or credibility of personnel who are used as, proposed for use as, or who purport to be, agents, sources, or operatives in foreign intelligence or counterintelligence activities. Such examinations shall be conducted in accordance with regulations issued by the heads of the DoD Components with prior approval of the DUSD(P) or designee, the Director, Security Plans and Programs, Office of the DUSD(P) (SP&P, ODUSD(P)). It is not required that consent be obtained in writing from individuals who are to be examined under the provisions of this subsection.

5. Exculpation. The use of the polygraph may be authorized for the purpose of exculpation, provided that the request for such examination was initiated by the subject of a criminal, personnel security, or counterintelligence investigation and administering of the examination is considered to be essential to a just and equitable resolution of the matter under investigation.

6. Use of the Polygraph Outside the Department of Defense. The providing of polygraph service or support to entities other than DoD Components must receive the prior approval of the DUSD(P), or designee, the Director, SP&P, ODUSD(P). Prior approval is not required, however, when DoD personnel are examined in connection with a criminal investigation conducted by a non-DoD law enforcement entity or when non-DoD personnel are subject to the Uniform Code of Military Justice (reference (a)).

C. INVESTIGATIVE CASES FOR WHICH THE POLYGRAPH SHALL BE USED

1. Employment, Assignment, or Detail to the National Security Agency.

Polygraph examination shall be required for DoD civilian, military, contractor, and General Service Administration personnel to assist in determining their eligibility for initial or continued employment, assignment, or detail for duty with NSA in activities that require access to sensitive cryptologic information, or to spaces where sensitive cryptologic information is produced, processed, or stored. In the case of military personnel being assigned or detailed for duty with NSA, the scope of such examinations shall be limited to the counterintelligence areas prescribed in Appendix B of this Regulation.

2. Assignment or Detail for Duty with the Central Intelligence Agency (CIA).

Polygraph examinations shall be required for DoD civilian and military personnel to assist in determining their eligibility for assignment or detail to CIA in positions where CIA requires a polygraph examination.

3. Employment or Assignment to Critical Intelligence Positions. Polygraph examinations, limited to the counterintelligence areas set forth in Appendix B of this Regulation shall be required to assist in determining the eligibility of DoD civilian, military, and contractor personnel for initial or continued employment or assignment to the Defense Intelligence Agency (DIA) in positions that have been designated in writing by the Director, DIA, as critical intelligence positions.

D. USE OF POLYGRAPH EXAMINATION RESULTS

1. Any final administrative determination rendered in cases in which polygraph examination is taken shall not be based solely on the results of an analysis of the polygraph charts. However, the results of an analysis of the polygraph charts may be considered to have probative value in administrative determinations. Responses to technical questions have no probative value with respect to the issue under investigation.
2. When a deceptive response is relied upon as the basis for nonselection for assignment or employment; denial or revocation of clearance or reassignment to a nonsensitive position; the examinee has the right to request a second examination by the examining agency, utilizing the same or a different examiner.
3. The results of a polygraph examination and record of results shall be considered privileged information and shall be disseminated only in accordance with subsection B.2., Chapter 3, of this Regulation. Information concerning a person's refusal to consent to a polygraph examination shall be recorded only in the investigative file concerning the person maintained by his or her parent or sponsoring organization. Such refusal shall be afforded the full privacy protection provided by DoD Directive 5400.11 (reference (g)). A person's supervisor, and in the case of a contractor employee the person's employer, shall not be informed of the refusal to take a polygraph, nor shall the personnel files be annotated, unless such refusal requires administrative action.

CHAPTER 3

CONDUCT OF POLYGRAPH EXAMINATIONS

A. PROCEDURES

1. General. Polygraph examinations may be conducted only by polygraph examiners certified in accordance with and under circumstances and procedures detailed in this Regulation or by intern examiners under the close supervision of a DoD-certified examiner.

2. Pretest. Before administering a polygraph examination, the polygraph examiner shall:

a. Obtain assurance from the individual to be examined of his or her voluntary consent to the examination. In criminal, employment screening, personnel security, and counterintelligence investigations, the consent must be in writing and shall be included and maintained in the polygraph examination technical report.

b. Ensure that the individual to be examined has not been subjected to prolonged interrogation immediately prior to the polygraph examination.

c. Interview the individual to be examined. During this interview, as a minimum, the examinee shall be:

(1) Informed of the characteristics and nature of the polygraph instrument and examination, including an explanation of the physical operation of the instrument, the procedures to be followed during the examination, and all questions to be asked during the examination.

(2) Told if the polygraph examination area contains a two-way mirror, camera, or other device through which the examinee can be observed and if other devices, such as those used in conversation monitoring or recording, will be used simultaneously with the polygraph.

c. Advised that:

(1) He or she is privileged against self-incrimination under the Fifth Amendment to the Constitution or, if the person to be examined is a member of the U.S. Armed Forces, under Article 31.b., Uniform Code of Military Justice (reference (a)) and the Manual for Courts-Martial, United States, 1969 (revised edition), Chapter XXVII, Military Rules of Evidence, Section III (reference (e)); (The requirement to advise of privilege against self-incrimination does not apply to examinations conducted under the provisions of paragraph B.2.b(1) and (2) and B.4. Chapter 2 of this Regulation) and

(2) He or she has the right to obtain and consult with legal counsel and that legal counsel may be available for consultation during the polygraph examination. The examinee shall also be advised that he or she may terminate the examination at his or her own volition, or upon advice of counsel, during any phase of the examination.

3. Questions asked during Polygraph Examination

a. All questions asked concerning the matter at issue, except for technical questions necessary to the polygraph technique, during a polygraph examination must be of special relevance to the subject matter of the particular investigation. Questions probing a person's thoughts or beliefs that are not related directly to the investigation are prohibited. Subject matters that should not be probed include religious and racial beliefs and affiliations, political beliefs and affiliations of a nonsubversive nature and opinions regarding the constitutionality of legislative policies.

b. Where use of the polygraph is authorized pursuant to subparagraphs B.2.a. and c. and C., Chapter 2 of this Regulation, technical questions utilized in such examinations shall be constructed to avoid embarrassing, degrading or unnecessarily intrusive questions. Additionally, except for polygraph examinations conducted under the provisions of paragraph C.1, Chapter 2 of this Regulation, all technical questions to be used during such examinations must be reviewed with the examinee before being posed to him or her for response.

c. No relevant question may be asked during the polygraph examination that has not been reviewed with the examinee prior to the examination.

d. Standard question topics to be asked in connection with the use of the polygraph for employment screening or assignment purposes, or any modification or change to these question topics, must be approved by the DUSD(P), or designee, the Director, SP&P, ODUSD(P), before implementation.

The requirement for prior approval does not apply when it is necessary to modify the phrasing of an approved question topic to clarify a response given by the examinee, provided that the substance of the question topic remains unchanged.

4. Examinee Fitness. In all cases, the examiner shall have the authority to decline to conduct an examination or to discontinue testing, when he or she doubts that the examinee is physically or mentally fit to be tested. In these instances, the examination shall be discontinued or postponed until appropriate medical, psychological, or technical authorities have declared the individual fit for testing.

B. RECORDS ADMINISTRATION

1. Storage and Retention

a. Polygraph examination technical reports may be filed with other materials relating to the investigation in which the examination was authorized and shall be:

(1) Retained by the examining agency in accordance with records retention procedures established by the Archivist of the United States.

(2) Removed before granting persons outside the examining agency access to the related materials.

b. Polygraph examination results may be filed with other materials relating to the investigation in which the examination was authorized.

Additionally:

(1) Non-record copies of polygraph examination results shall be destroyed within 3 months from the date of completion of the investigation in which polygraph examination was authorized.

(2) Record copies shall be retained in accordance with records retention procedures established by the Archivist of the United States.

2. Dissemination

a. Except as required by law, polygraph examination technical reports shall not be disseminated outside the Department of Defense. Normally, these reports are exempted from release under the provisions of Exemption 7 of the Freedom of Information Act (see DoD 5400.7-R (reference (f))).

b. Results of polygraph examinations may be made available:

(1) Within the Department of Defense, to officials responsible for personnel security, intelligence, counterintelligence, law enforcement, and the administration of criminal justice. (When a polygraph examination is conducted in connection with a personnel security investigation, a copy of the polygraph examination results shall be provided to the Defense Investigative

Service for inclusion in the individual's personnel security investigative file. This copy and the copy maintained by the examining agency are the only authorized record copies).

(2) To appropriate law enforcement officials outside the Department of Defense when the examination has been conducted in connection with the investigation of a criminal offense, or reveals criminal activity on the part of the individual examined.

The DoD Component authorizing disclosure must comply with DoD Directive 5400.11 (reference (g)).

(3) To the examinee or his or her legal counsel, upon request, subject to the provisions for safeguarding of classified defense information (DoD 5200.1-R, reference (b)).

(4) To DoD Component members of the National Foreign Intelligence Board (NFIB) and other NFIB member agencies provided there is an official need for the material and the third agency limitation will be applied.

(5) To the National Archives and Records Service, General Service Administration, upon retirement of the file.

C. POLYGRAPH INSTRUMENT PROCUREMENT, MAINTENANCE, AND STORAGE

1. Issue. Polygraph instruments are items of issue within the Department of Defense. Spare parts and expendable supplies are to be requisitioned through authorized procurement channels.

2. Authorized Items. The use of equipment known as lie detecting or polygraph recording instruments for operational purposes by DoD Components is restricted to items procured in accordance with subsection C.1., above. All DoD polygraph instruments will measure and record, as a minimum, respiration, electrodermal response, blood volume, and heart rate. Except as provided in this Regulation, the use of other equipment is prohibited.

3. Maintenance. DoD Component investigative agencies shall establish procedures, to include schedules for and techniques to be used in calibration and maintenance, to ensure proper and accurate operation of polygraph instruments.

4. Storage. Polygraph instruments shall be stored in secure locations to prevent damage or misuse by unauthorized persons. A notation shall be made in examination records of the serial number of the instrument used.

D. POLYGRAPH STUDIES AND RESEARCH

1. The Heads of DoD Components may, by issuance of regulations, authorize the acquisition and use of experimental equipment to conduct research to determine the operational characteristics and reliability of the equipment.

2. The heads of DoD security and investigation activities may request the procurement of newly developed polygraph instruments provided that:

- a. The DUSD(P) is notified in advance of the procurement; and
- b. The equipment has been tested under subsection D.1. above, and
 - (1) Is electromechanically suitable.
 - (2) Produces reliable operational results.
 - (3) Instructional material relating to the equipment will be made available for inclusion in DoD service school curricula with the least possible expense and delay.

3. The DUSD(P), or designee, the Director, SP&P, ODUSD(P), may authorize the conduct of studies or research involving the use of the polygraph.

DoD Components desiring to conduct a polygraph-related study or research shall submit a request to the DUSD(P) that shall include:

- a. Identity and qualifications of the agency or contractor who will conduct the study or research.
- b. Estimated cost of the study or research.
- c. Purpose of the study or research.
- d. The dates the study or research is to begin and end.

4. DoD Components shall advise the DUSD(P) of the results and recommendations of all studies undertaken with regard to the use of the polygraph.

5. Routine statistics or analysis of the contents of the polygraph materials or reports does not constitute research for the purpose of this Regulation.

CHAPTER 4

SELECTION, TRAINING, AND SUPERVISION OF DOD POLYGRAPH

EXAMINERS

A. SELECTION

1. General. Candidates selected for the position of polygraph examiner shall meet the following minimum requirements:

- a. U.S. citizenship;
- b. Twenty-five years of age;
- c. Graduation from an accredited 4-year college (or equivalent) plus 2 years as an investigator with a recognized U.S. Government or other law enforcement agency;
- d. Determined to be of high moral character and sound emotional temperament, based on a background investigation;
- e. Completed a DoD-approved course of instruction;
- f. Judged suitable for the position after taking a polygraph examination to ensure that he or she fully realizes the impact of such an

examination on individuals. This examination shall be given before the beginning of the course of instruction.

2. Incumbents. Individuals who do not meet the educational requirements set forth in paragraph A.1.c., who were previously certified as polygraph examiners by the heads of DoD Component investigative agencies, may continue in this capacity.

B. TRAINING

1. General.

a. Under the policy guidance of the DUSD(P), the Secretary of the Army shall establish and manage training programs for DoD polygraph examiners, and shall ensure that such training programs are conducted by qualified professional, medical or legal personnel.

b. The Director, NSC/Chief, CSS may approve alternative courses for training of NSA/CSS polygraph examiners and shall provide timely advice of such approvals to the DUSD(P).

c. Use of any other training programs must be approved by the DUSD(P).

d. DoD polygraph training programs shall be designed to ensure that no person shall be certified as a qualified polygraph examiners without

successfully completing an approved course of instruction and demonstrating the appropriate application of the following:

- (1) Investigative techniques to include methods of interrogation;
- (2) The basic elements of normal, abnormal, and criminal psychology.
- (3) Constitutional and other legal considerations;
- (4) The basic elements of physiology;
- (5) The functioning of the polygraph, including its capabilities and limitations;
- (6) DoD policies and procedures concerning the use of the polygraph;
- (7) Polygraph techniques;
- (8) Question formulation and chart interpretation.

2. Probationary Period.

Before being certified as a qualified DoD polygraph examiner by the head of the DoD Component concerned, each candidate shall serve a probationary period under a certified examiner. This probationary period shall be no more than 1 year nor less than 6 months following completion of the basic polygraph examiner training course. During this time the candidate shall be required to demonstrate proficiency in the use of the polygraph by conducting at least 25 polygraphic examinations under the supervision of a certified polygraph examiner. Heads of DoD Components shall ensure that polygraph examiners obtain refresher training at least every 2 years.

C. SUPERVISION OF POLYGRAPH EXAMINERS

Heads of DoD Components that have a polygraph capability shall establish procedures for the close supervision of polygraph examiners, and provide for professional and technical review of individual examiner techniques to ensure maintenance of proficiency standards. These procedures shall include the following:

1. Certified examiners shall exercise their technical skills regularly and conduct a minimum of 18 polygraph examinations semiannually. Civilian and military polygraph specialists who direct and instruct examiners and are responsible for the proficiency of examiners may be exempted from this requirement by the head of the DoD Component, or designee.

2. Examiners who fail to satisfy current proficiency standards shall have their certificates immediately suspended or revoked.

3. Certifications suspended for failure to meet minimum requirements may be reissued after suitable refresher training or after the examiner has satisfactorily demonstrated an acceptable standard of proficiency, as determined by the head of the DoD Component, or designee.

4. A certified polygraph supervisory official shall review the record of polygraph examination in conjunction with other pertinent investigative information and determine whether it is appropriate to request the individual to undergo a second polygraph examination. Such a request may be made when considered appropriate, regardless of whether the individual examined has made significant admissions in connection with the investigation and regardless of whether the results of the examination indicate unusual physiological responses. The investigative agency may comment, as appropriate, on the polygraph examination technical report.

5. Determinations with respect to further investigation of cases wherein a polygraph examination has been undertaken shall not be made solely by the polygraph examiner.

6. When the results of an initial polygraph examination have been interpreted as "inconclusive," immediate subsequent examination may be made by the original examiner (normally within 30 days) without obtaining additional approval from the official who initially approved the polygraph examination.

D. LIMITATIONS

1. Individuals certified as DoD polygraph examiners shall not perform polygraph examinations nor participate in polygraph-related activities in connection with nonduty-hour employment with any private or commercial polygraph firm or agency without the approval of the Head of the DoD Component concerned. The provisions of this paragraph do not apply to DoD polygraph examiners of the reserve components except while such examiners are on temporary or extended active duty.
2. Polygraph examiners shall not participate in any public demonstrations of the polygraph technique that includes a mock test in which there is an attempt to interpret the results of the test. This does not preclude a public demonstration of the mechanical operations of the instrument or a demonstration to show the physiological changes that take place during emotional stimulation, provided no attempt is made to interpret the changes and no unfounded claims of application or reliability are made. Only polygraph examiners certified under the provision of this Regulation may be used as instructors, lecturers, or demonstrators of the polygraph.
3. Under no circumstances shall polygraph examiners allow themselves to be identified as other than investigative personnel or take any measures which might create a clinical appearance.
4. The polygraph instrument shall not be utilized as a psychological prop in conducting interrogations.

5. Persons who are not in sound physical or mental condition will not be subject to polygraph examination. Should the examiner or examinee have any doubt as to the physical or mental fitness of the examinee, the matter shall be referred to medical authorities. An examiner shall not attempt to make a psychological or physical diagnosis of an examinee.

6. Polygraph examinations shall not be conducted if, in the opinion of the polygraph examiner, any of the following conditions inhibit the individual's ability to respond. If any of these conditions should become apparent, the provisions of paragraph A.4., Chapter 3 of this Regulation, should be followed:

- a. It is apparent that the examinee is mentally or physically fatigued.
- b. The examinee is unduly emotionally upset, intoxicated, or rendered unfit to undergo an examination because of excessive use of a sedative, stimulants or tranquilizers.
- c. The examinee is known to be addicted to narcotics.
- d. The examinee is known to have a mental disorder.
- e. The examinee is experiencing physical discomfort of significant magnitude or appears to possess physical disabilities or defects which, in themselves, might cause an abnormal response.

CHAPTER 5

PROGRAM MANAGEMENT

A. IMPLEMENTATION

To ensure uniform implementation of the DoD Polygraph Program throughout the Department of Defense, program responsibility shall be centralized to the extent possible.

B. RESPONSIBILITIES

1. The DUSD(P), as the designee of the Under Secretary of Defense for Policy, shall provide guidance, oversight, and approval for policy and procedures governing polygraph program matters within the Department of Defense. The DUSD(P) shall coordinate with the Inspector General, Department of Defense all matters, concerning use of the polygraph in connection with the investigation of criminal offenses.

2. The DUSD(P) or designee, the Director, SP&P, ODUSD(P), are the only DoD officials authorized to approve waivers or exceptions to the provisions of this Regulation.

3. Heads of DoD Components authorized to approve the use of the polygraph shall ensure that:

a. The DoD Polygraph Program is administered within their area of responsibility in a manner consistent with this Regulation.

b. A single authority within the Component is assigned responsibility for administering the program.

c. Information and recommendations concerning any aspect of the program are provided to the DUSD(P) upon request.

C. DoD POLYGRAPH COMMITTEE

There shall be established a DoD Polygraph Committee.

The Committee shall be chaired by the Director, SP&P, ODUSD(P), and shall be comprised of policy and polygraph technical representatives of the Secretaries of the Military Departments; the Director, NSA/Chief, CSS; Directors, DIA, DIS, the Inspector General, DoD; and the Defense Legal Service Agency.

Representatives of other DoD Components may be invited to meet with the Committee on matters of particular interest to those Components. The Committee shall meet at the call of the chair or at the request of a member agency, and shall serve as a forum for the review and discussion of problems or issues impacting on the DoD Polygraph Program.

D. INFORMATION REQUIREMENTS

The Secretaries of the Military Departments, the Director, NSA/Chief, CSS; the Directors, DIA, DIS; and the Inspector General, DoD shall submit to the DUSD(P) semiannually as of December 31, and June 30, a report of polygraph activities in the format prescribed by Appendix A of this Regulation. This reporting requirement has been assigned Report Control Symbol DD-POL(SA)1361. For the purposes of this reporting requirement, a polygraph examination is considered to have taken place when at least one of the phases described in subsection B.6., Chapter 1 of this Regulation has been initiated.

E. IMPLEMENTATION REQUIREMENTS

DoD Components shall forward two copies of implementing documents to the DUSD(P). These implementing documents shall list those officials within the Component who have been delegated polygraph authority under the provisions of subsection E.3.b. of DoD Directive 5210.48.

**APPENDIX A
REPORTING FORMAT**

1. Period ending _____, 19_____
2. Date report submitted: _____, 19_____
3. Name of reporting activity:
4. Use of the polygraph in criminal investigations:

Type of Case	Competitive Civilian Service	Excepted Civilian Service	Military	Contractors	Foreign Civilian	Foreign Military	Other (Specify)	Total
Crimes Against Persons								
Crimes Against Property								
Crimes Involving Fraud								
Crimes Involving Drugs								
Other (Specify)								
Total								

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

Pretest Admission or Confession	Deception Indicated (DI)		No Deception Indicated (NDI)		Post-test Admission or Confession	Incon clusive	Not Completed	Information Developed Requiring Additional Investigation
	DI Confirmed	DI Unconfirmed	NDI Confirmed	NDI Unconfirmed				

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

5. Use of the polygraph in personnel security investigations:

Type of Case	Competitive Civilian Service	Excepted Civilian Service	Military	Contractors	Foreign Civilian	Foreign Military	Other (Specify)	Total
Assignment/Detail-CIA								
Assignment/Detail-NSA								
Access to Crypto-graphic (Initial)								
Access to Special Access Program (Initial)								
Access to Special Access Program (Aperiodic)								
Foreign National (Initial)								

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

5. (Continued)

Type of Case	Competitive Civilian Service	Excepted Civilian Service	Military	Contractors	Foreign Civilian	Foreign Military	Other (Specify)	Total
Foreign National (Aperiodic)								
Resolve Credible Derog								
Access to SCI (Initial)								
Access to SCI (Aperiodic)								
Critical Intelligence Position (Initial)								
Critical Intelligence Position (Aperiodic)								
Total								

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

5. continued

Pretest Admission or Confession	Deception Indicated (DI)		No Deception Indicated (NDI)		Post-test Admission or Confession	Incon- clusive	Not Completed	Information Developed Requiring Additional Investigation
	DI Confirmed	DI Unconfirmed	NDI Confirmed	NDI Unconfirmed				

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

6. Use of the polygraph in counterintelligence investigations:

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

7. Use of the polygraph for the purpose of exculpation:

Type of Case	Competitive Civilian Service	Excepted Civilian Service	Military	Contractors	Foreign Civilian	Foreign Military	Other (Specify)	Total
Crimes Against Persons								
Crimes Against Property								
Crimes Involving Fraud								
Crimes involving Sex								
Crimes Involving Drugs								
Unauthorized Disclosure								
Espionage								
Sabotage								
treason								
subversion								

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

Approved For Release 2008/06/04 : CIA-RDP96M01138R001200020002-3

7. Continued

8. Use of the polygraph in intelligence or counterintelligence operations:

Type of Case	Competitive Civilian Service	Excepted Civilian Service	Military	Contractors	Foreign Civilian	Foreign Military	Other (Specify)	Total
Intelligence Operation								
Counter-intelligence Operation								
Total								
Pretest Admission or Confession	Deception Indicated (DI)	No Deception Indicated (NDI)	Post-test Admission or Confession	Inconclusive	Not Completed	Information Developed Requiring Additional Investigation		
	DI Confirmed	DI Unconfirmed	NDI Confirmed	NDI Unconfirmed				

9. National Security Agency reporting format:

<u>SCREENING POLYGRAPH EXAMINATOIN</u>	<u>CASES CONDUCTED</u>	<u>SUBSTANTIVE INFORMATION PROVIDED</u>	<u>NO SUBSTANTIVE INFORMATION PROVIDED</u>
Applicants for Excepted Service Employment	_____	_____	_____
General Service Administration Employees	_____	_____	_____
Employees of Contractors and Consultants	_____	_____	_____
Aliens	_____	_____	_____
Federal Protective Service Police Applicants	_____	_____	_____
Special Projects	_____	_____	_____
Others: (Specify)	_____	_____	_____
Subtotal	_____	_____	_____
<u>SENSITIVE ACCESS EXAMINATIONS</u>			
Excepted Service Position Occupants	_____	_____	_____
Military Assignees	_____	_____	_____
Employees of Contractors and Consultants	_____	_____	_____
Special Projects	_____	_____	_____
Others: (Specify)	_____	_____	_____
Subtotal	_____	_____	_____
<u>INVESTIGATIVE EXAMINATIONS</u>			
Personnel Security	_____	_____	_____
Counterintelligence	_____	_____	_____
Subtotal	_____	_____	_____
Totals	_____	_____	_____

10. Status of Polygraph examiners:

- a. Number of certified examiners at the beginning of the reporting period. _____
- b. Number of certificates suspended (Failure to meet standards and criteria). _____

- c. New certifications** _____
- d. Certifications renewed.** _____
- e. New students (Trainees).** _____
- f. Number of students completing training.** _____
- g. Number of examiners completing refresher training** _____
- h. Number of certified examiners at the end of the reporting period.** _____

APPENDIX B
COUNTERINTELLIGENCE SCOPE

When the scope of a polygraph examination authorized under this Regulation is limited to counterintelligence areas, questions posed in the course of such examinations shall be limited to those necessary to determine:

WHETHER THE EXAMINEE HAS:

1. Ever engaged in espionage or sabotage against the United States.
2. Knowledge of anyone who is engaged in espionage or sabotage against the United States.
3. Ever been approached to give or sell any classified materials to unauthorized persons.
4. Ever given or sold any classified materials to unauthorized persons.
5. Knowledge of anyone who has given or sold classified materials to unauthorized persons.
6. Any unauthorized contact with representatives of a foreign government.